



CrI.O.P(MD) No.11434 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

CrI.O.P(MD) No.11434 of 2026

and

CrI.M.P(MD) No.11414 of 2026

Mahathevan @ Mahadevan

... Petitioner/Accused No.40

Vs

1. The State of Tamil Nadu,

Represented by the Sub Inspector of Police,

Thirumangalam Town Police Station,

Madurai District.

(In Crime No.531 of 2021)

... 1st Respondent/Complainant

2. Venkateswaran

Special Sub-Inspector of Police,

Thirumangalam Town Police Station,

Madurai District.

... 2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in the case in S.T.C.No.1822 of 2025 on the file of the Judicial Magistrate Court, Thirumangalam, Madurai District and quash the same as illegal, violation of law as against the petitioner/Accused No.40.



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For Petitioner : Mr.B.Karthik
For R1 : Mr.J.Vishnu
Government Advocate (Crl.Side)

ORDER

The present petition has been filed by the 40th accused in S.T.C.No. 1822 of 2025 on the file of the Judicial Magistrate Court, Thirumangalam, Madurai District, seeking to quash the charge sheet, wherein the petitioner is charged with the offences under Sections 143, 188 and 271 of IPC.

2. A perusal of the charge sheet reveals that the petitioner along with 52 others, who belong to a polical party had unlawfully assembled at Thirumangalam, in violation of orders passed under Section 144 of IPC and raised slogans for the release of prisoners, who are in prison for morethan 20 years.

3. According to the learned counsel appearing for the petitioner, the petitioner has expressed his dissent in a democratic manner and the same cannot be considered to be a criminal offence.



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4. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

5. It could be seen from the charge sheet that the petitioner and others who belonged to a political party have assembled and raised slogans as against the State Government for releasing of prisoners who are in prison for more than 20 years. The said allegation would not be considered to be an offence, especially, when there is no allegation of any damage to any property.

6. In such circumstances, the continuation of criminal proceedings as against the petitioner would only be an abuse of process of law and therefore, the same is liable to be quashed. The other accused persons, who are not the petitioner herein also stand on the same footing. In such circumstances, charge sheet in S.T.C.No.1822 of 2025 on the file of the Judicial Magistrate Court, Thirumangalam, Madurai District, stands quashed not only as against the petitioner but also as against the other accused persons, who are arrayed as accused in S.T.C.No.1822 of 2025.

7. Accordingly, this Criminal Original Petition is allowed.



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Consequently, connected Miscellaneous Petition is closed.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Judicial Magistrate Court,
Thirumangalam, Madurai District.
2. The Sub Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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